

AMENDMENT TO THE DRAWING FIGURE

The attached sheet of drawing includes a change to Fig. 1. This "Replacement Sheet", which includes Fig. 1, replaces the original sheet including Fig. 1. An explanation of the change appears in the remarks section of this amendment.

Attachment: "Replacement Sheet"

REMARKS

Claims 1-9, 11-16 and 19-30 are pending in the present application.

This Amendment is in response to the Office Action mailed September 05, 2006. In the Office Action, the Examiner objected to the drawings, rejected claims 11-16 and 19-30 under 35 U.S.C. § 102(b) and claims 1-9 under 35 U.S.C. § 103(a).

Applicant has amended claims 1, 11, and 19. Reconsideration in light of the amendments and remarks made herein is respectfully requested. It is noted that in the Office Action dated March 21, 2006, the Examiner stated, "claims 10 and 11 are objected to as being dependent upon a rejected base claim, and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In the response filed on June 20, 2006, applicant has cancelled the base claim 10 and amended claim 11 in independent form including all the limitations of the base claim 10 to put the claimed invention in condition for allowance. Regrettably, the Examiner withdraws his previous decision and although it is the same cited reference, a new grounds rejection is injected. For the record, Applicant would like to state that Applicant may not have made the amendment to the claims in the last response would he not have given the allowable subject matter from the Examiner.

I. DRAWINGS

In the Office Action, the drawings were objected to in light of cited informalities. The Examiner stated, "Figure 1 should be designated by a legend such as --Prior Art--." In response, Applicant has amended Figure 1 in which a legend "PRIOR ART" is included in the heading. Applicant respectfully requests acceptance of this amended Figure because no substantive new matter has been added.

II. CLAIMS OBJECTIONS

In the Office Action, the Examiner stated, "Currently, there have been two claims number "23" added. Correction is required." Applicant has renumbered the claims accordingly. Therefore, Applicant respectfully requests the objections be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 11-16 and 19-30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,523,227 issued to Hurst ("Hurst"). Applicant respectfully traverses the rejections for the following reasons.

Hurst discloses a synchronizer that synchronizes video signals at a first time rate with a sync signals at a second frame rate. The video signals are written into a store at the first rate and read by a main reading apparatus at the second rate. The reading of signals from the store by the main reading apparatus is changed by an integer number of frames when the control signal indicates that substantial similarity exists (Col. 1, lines 45-62). Hurst, however, does not disclose a computation using the stored values wherein at least one stored value is the value of the slope of the input video data rate and the video data rate associated with the displaying device reduced by a common factor.

To support a 102 rejection, the Examiner must show that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bro. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987), (MPEP §2131). In addition, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), (MPEP §2131). Here the Examiner has not pointed out the specific language in Hurst that teaches a computation based on at least one stored value, where the stored

value is the value of the slope of the input video data rate and the video data rate associated with the output device reduced by a common factor.

Hurst, taken alone or in any combination, do not disclose, suggest, or render obvious a computation based on at least one stored value, where the stored value is the value of the output rate and the input rate slope reduced by a common factor.

Since there is no showing of the identical invention in as complete detail as is contained in the claim, Applicant respectfully requests that rejection under 35 U.S.C. §102(b) be withdrawn.

IV. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 1-9 under 35 U.S.C. § 103(a) as being anticipated over Hurst in view of U.S. Patent No. 5,517,612 issued to Dwin ("Dwin"). Applicant respectfully traverses the rejections for the following reasons.

Dwin discloses the Bresenham algorithm for computing the coordinates of a diagonal line forms the basis for nearest neighbor scaling algorithms. Dwin does not disclose a computation based on the at least one stored value, where the stored value is the value of the output rate and the input rate slope reduced by a common factor.

Hurst and Dwin, taken alone or in any combination, do not disclose, suggest, or render obvious a computation based on the at least one stored value, where the stored value is the value of the output rate and the input rate slope reduced by a common factor. This aspect of the invention is supported in the specification on page 12 (lines 6-14), Table 2 on pages 12-13) and is recited in amended claims 1 and 19.

Therefore, Applicant believes that independent claims 1, 19 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 102(b) and § 103(a) be withdrawn.

CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,
DISCOVISION ASSOCIATES

Dated: 12/04/06


Caroline Do

Caroline T. Do, Esq.

Reg. No. 47,529

DISCOVISION ASSOCIATES
INTELLECTUAL PROPERTY DEVELOPMENT
2265 E. 220th Street
Long Beach, CA 90810
Tel: (310) 952-3300
Fax: (310) 513-7685